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**PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION**

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**TO: The Honorable Commissioner
Attention: Technology Center
Art Unit: 1615**

FROM: Beverly A. Lyman, Ph.D.

Fax No.: (703) 872-9306

Phone: (513) 241-2324

Date: June 4, 2004

Fax: (513) 421-7269

Pages (including cover page): 26

**Re: U.S. Serial No. 10/680,338 INDOLE COMPOUNDS AS NOVEL DYES FOR ORGAN
FUNCTION MONITORING
Attorney Docket No. MRD-59CP**

ATTACHMENTS/COMMENTS: OFFICIAL

Please deliver to Technology Center
Supplemental Information Disclosure Statement (2 pages)
Supplemental IDS PTO-1449 Form (1 page)
Copy of U.S. Patent No. 5,453,505 (18 pages)
Copy of International Search Report (3 pages)
Copy of Registry No. 259261-66-0 (1 page)

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Jane A. Walker Date June 4, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Achilefu et al.
Serial No.: 10/680,338
Filed: October 7, 2003
Art Unit: 1615
Confirmation No.: 5451
Examiner: Unknown
Title: **INDOLE COMPOUNDS AS NOVEL DYES FOR ORGAN
FUNCTION MONITORING**
Atty Docket: MRD-59CP

Cincinnati, OH

June 4, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. The instant application is a continuation-in-part of U.S. Patent

Application Serial No. 09/688,947 filed October 16, 2000, now U.S. Patent No. 6,656,451.

Copies of the cited references are enclosed herewith. A copy of an International Search Report received in Applicants' corresponding PCT Application Serial No. PCT/US01/31718 is also enclosed.

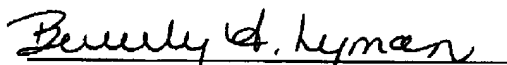
No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider all of the cited documents and to make an independent evaluation of the teachings and materiality of each.

Applicants believe that no fee is due, however, if any additional fee is required to complete this communication, please charge Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.


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Sheet 1(A) of 1

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MRD/59CP		SERIAL NO. 10/680,338	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Achilefu et al.			
(37 CFR 1.98(b))				FILING DATE October 7, 2003		GROUP 1615	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		PATENT NUMBER		ISSUE DATE	PATENTEE	CLASS	FILING DATE IF APPROPRIATE
	A.A	5	4 5 3 5 0 5	09/1995	Lee et al.	544	124 06/1994
	A.B						
	A.C						
	A.D						
	A.E						
	A.F						
	A.G						
	A.H						
	A.I						
	A.J						
	A.K						
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L						
	A.M						
	A.N						
	A.O						
	A.P						
	A.Q						
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)							
	A.R	PCT, <u>International Search Report</u> , PCT/US01/31718, Mailed on April 4, 2002 (3 pages)					
	A.S	Chemical Abstracts, Registration No. 259261-66-0, Copyright 2002 ACS (1 page)					
	A.T						
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.							

Substitute Disclosure Form (PTO-1449)